423
184 and in Rukiga (provinces of Mulera and Bugoyi) where the land cleared and cultivated by the Bahutu are subject to a right of family property. This right is sacred and the Batutsi, whose power in these regions is rather nominal, know that they cannot dispute it without exposing themselves to serious miscalculations and even to bloody reprisals.

423
[622] The hill chief also has the right to take a plot of land
[475] (ubugerure) from the Bahutu in order to form an ubuka which he wishes to give to someone else or to keep as his own property (imilima y'inyarulembo). The part of the plot that is left to the Muhutu is called isagu.

[428] The Muhutu can transmit his right of exploitation to his son by inheritance. Land that passes from one generation to the next is called indeka.

[596] Land is sometimes held collectively by a family in the person of its head (isambu or ingobyi y'iwabo). Members of the family pay him no rent and, to the exclusion of strangers, have the right to cut firewood and graze their cattle there.

[622] There are also communal woods (itshanya). The hill chief reserves part of them for himself and allows the hill people to exploit the remainder.

[563] The Batwa claim to be the legitimate occupants of the forests. For this reason they often enter into disputes with the Bahutu living near the wooded regions.

[622] Mines and quarries of clay are the property of the chief, but he allows his people to [43] supply themselves there in exchange for a payment (a hoe or some pots).

The boundaries (imbibi) of fields are usually marked by small ditches (impavu) or piles of stones (ibishyinga).

There are no neutral zones between lands.

425
423 An inkungu is a piece of ground that has been abandoned because of the holder's voluntary departure or death without leaving an heir. A man who has been cursed by his father or driven out by the chief because of repeated thefts of cattle, for example, must also abandon his plot. The chief can offer an inkungu (or an ubugerure) to a stranger to the hill who asks to settle there. If he is a Muhutu, he is

423 obliged to submit to the same obligations as his predecessor. If he
[425] is a Mututsi, he is not required to pay any ground rent, and the chief gives him a pasture in addition.

Rights of way and of access are not private. The hill people may move about freely on each other's land. This is also true of the cattle for which special paths are made.

622 In the case of a dispute in matters of landed property, litiga-
692 tion is taken to the hill chief who goes to the place and, after having heard the witnesses, decides between the plaintifs.

### 3. Customary Law of Hunting

224 Customary laws of hunting are very numerous. Of these we will quote only a few of the most frequent cases.

A native hunting alone who has killed an ordinary antelope (impongo) takes the meat and skins the animal.

224 Hunting with beaters is organized by the chief who decides on
622 the land to be beaten after having taken the advice of the [44] expert Batutsi or Bahutu hunters and following the indications of the trackers. The chief also chooses the beaters from among the least good shots. To stimulate their zeal in this thankless task, he promises them pots of beer if the hunt is successful.

224 The natives are required to take part in the hunt, but they fulfill this obligation willingly as it is a much appreciated entertainment and also a source of profit.

Whoever first wounds an animal during a battue or beat, is presumed to have killed it. He is entitled to the skin and one rear leg. The meat is divided among all the Batutsi and Bahutu hunters. The hunter who has killed several antelopes may keep the skin of one animal.

224 Whoever finds an animal that has been killed must return it to
643 the hunters. At least theoretically, game belongs to the king and skins of any value (1) must be turned over to him, especially those of

281 1. Skins of marsh antelopes are much appreciated by the Batutsi because of their long silky fur with which they make bed coverings. Skins of the "bush bock" and

281

leopard are used as dance ornaments
by the intore pages.

224 the otter (inzibyi or igihura), the marsh antelope (mpala), the
[643] "bush bock" (inzole), the lion, and the leopard, as well as ivory
tusks.

If a wild beast such as a lion or leopard has been killed,
[622] its skin must be turned over to the chief who in exchange gives the
hunters a sterile cow as ingororano (2).

2. Cf. Property, Ownership of Cattle,
p. 48.

224 When the hill chief hunts with his people, he keeps some of
622 the skins and gives the others to the provincial chief, who in turn
643 keeps some of them and, if he considers it advantageous to himself,
sends the others to the Mwami. If the hill chief has killed a lion
or a leopard, the skin must be turned over to the Mwami. If there
are two skins they are divided between the king and the provincial
chief. The [45] hill chief may keep a leopardskin only if the hunt
has been particularly fruitful.

224 The native who has killed three elephants has the sole right
to the tusks of the third animal killed.

224 Finally, a hunter is forbidden to take any part of a crocodile
825 he has killed. The animal with its paws loaded with stones must be
thrown to the bottom of the river, for the Banyarwanda believe that
the body of the saurian contains a violent poison and they want to
prevent its being used.

224 When an animal is pointed out, the beaters who have gone
forward into the thickets where they are almost invisible and the
hunters who have followed them must indicate their presence by a
low whistle. Hunting accidents are regulated by customary law (1).

1. Cf. Penal Law, p. 98.

## 4. Ownership of Heavy Cattle

422 a) Generalities.
231
[643] The Mwami is the owner of all the cattle in Ruanda or at least of all females kept for breeding purposes. The great chiefs (abatware) are charged by the king to watch over his cattle in the different provinces. Also, the sale of heifers cannot take place without his permission.

On the other hand, the holder of sterile cows or bulls may give away or slaughter these animals as he wishes.

In a province the native who has acquired a cow for breeding
[643] purposes has usufruct and has no redress if the Mwami takes away the animal he has bought along with its young. The umutware w'umukenke (2) can oppose the removal of cattle from the province.

2. Cf. Government and Administration, Political Division, p. 85.

422 Any native who settles in another province must abandon his cattle
622 [46] unless he has the chief's permission to take it with him. When
628 a native leaves his province, leaving his cattle behind, to settle in another, his new chief usually gives him a herd of the same size as the one he has lost. If he escapes from his district carrying off his cattle surreptitiously, his former chief claims the herd. In the past if he was refused he would endeavor to capture a herd of equal value belonging to the deserter's new chief, and an armed clash would invariably result from such a dispute. Today the dispute must be submitted to the Mwami. He eventually orders the new chief to return the cattle, and if the latter is unwilling to do so, he may take from him one or more herds.

Before the European occupation a dissatisfied chief could take all or part of his cattle without previous permission from the Mwami. In this case the chief was "Mwami of his umugaragu."

422 The cowherds (abashumba) in the service of the cattle holders
231 are authorized to keep for themselves part of the milk from the animals entrusted to them. They can be discharged in case of negligence.

231
192

c) Classification by age (cont'd)

2. FEMALE CATTLE

Isave, cow sterile from birth (thin)
Urubeheri, cow sterile from birth (fat)

d) Classification of Cattle According to Horns

Igaritse, with large spreading horns
Impotore, with horns whose points are slightly twisted
Ingarure, with twisted horns whose points go forward
Inkungu, without horns
[48]
Intenderi, with horns whose points point toward the ground
Inkungu y'indegeri, with small mobile horns
Ikubis'ihembe, with one vertical and one horizontal horn
Itigey'inyuma, with horns whose points point backwards
Itez'akamosd, with crossed horns
Urubindo, with horns whose poihts point towards the ears
Itegey'ijuru, with large almost vertical horns

e) Classification of Cattle According to Common Law

422 231 [622] [192] IMBATA. Head of cattle received as dowry, as a present, or bought in the market, and whose owner is the true proprietor. But if, in putting himself under the patronage of the hill or provincial chief (1) he receives from either of them one or several cows called

1. See further on, Obligations and Contracts, p. 63.

inkazibiti or ingabane, according to whether he is a Muhutu or a Mututsi, all the imbata cows can be taken away from him with the others, should he lose his status as a client, by an arbitrary decision of his patron.

422 231 427 If a Muhutu receives from a Mututsi some heads of cattle in virtue of the contract called ubugaragu (lease of livestock) (1),

1. See further on, Obligations and

631 There are abatware who personally own hills in other prov-
635 inces (1).

1. Since 1924, aiming to unify the commands of the provincial chiefs, the government has endeavored to persuade the abatware to exchange hills.

634 The abatchibiri, who own only a part of a province, are also directly subordinate to the Mwami, who has given them their lands.

622 The ibisonga are placed at the head of one or more hills.
562 They are the supervisors of the abatware and the abachibiri, on whom
624 they also spy for the Mwami. Women can be ibisonga. For example, they can be the Mwami's abaja (mistress-servants) who, as a reward for the bestowal of their favors, are given a hill. But the most frequent case is that of a widow of an igisonga [sic] without any male children who, while attending the king, obtains permission to continue to manage the hill held by her husband (2). Each hill chief has

2. An example would be Nyiraigweni, widow of Nyantabana, a great provincial chief, replaced today by Rwabutogo who commands the district of Buganza in the territory of Nyanza.

under him a factotum called umuhingisha who designates and marks the boundaries of the fields, for which the Bahutu have asked the chief, and who may even settle the palavers in the absence of the igisonga. The umunyabigega is hierarchically subordinate to the former igisonga. He is the steward of the granaries (ibigega) of the chief whose cultivated fields he supervises.

631 The abanyabikingi command only a portion, a spur of a hill.
622 Appointed directly by the Mwami, they act as supervisors, and even as spies of the ibisonga for the king. [100]

## 12. Succession of Command

635 Like the royal office, the position of provincial chief is hereditary. It is assigned by the chief to one of his sons whom he considers most worthy to succeed him. It may happen that he may at the same time become chief of the clan, but it is not always so (1), for the family and the clan are social entities that are distinct

1. Cf. the example quoted in Personal Status, The Head of the Family and of the Clan, p. 6.

from political units.

The new chief must come and announce his father's death to the Mwami, bringing him a yo kubika cow, (lit., which announces death). On the other hand, he receives some indabukirano from his people and his friends.

622 The chiefs other than the abatware are appointed by the latter and confirmed in their functions by the Mwami.

## 13. Taxes and Forced Labor

651 466 Along with the civil obligations derived from the ubugaragu contract, there are others due to the chiefs as such.

A. Obligations Due to the Hill Chief.

The Bahutu who are not abagaragu of the igisonga must bring the latter once a year a large basket of sorghum (urutete) and a small basket of beans (ipfukire). Formerly, they were also required to cultivate the chief's fields (ubuletwa or uruharo) (2), to build and main-

2. In 1924 this custom was modified by the authorities in order to improve the lot of the Muhutu, who now give only two days of work out of seven.

tain each a part of the chief's rugo (kubak'inkike), and to act as messenger (gutumwa). Finally, the igisonga keeps a group of five

614 621 In the north the members of individual clans have large areas wholly to themselves. In view of the not very strictly organized political situation, these autonomous territorial communities can sometimes play a very important role because of their solidarity and their often rather large numbers. In Nduga, on the other hand, the power of the state has broken up the clans, scattered them, and robbed them of any possibility of forming political or territorial clan unions. The representatives [ 246] of the various warring factions were incorporated into territorial groups and placed under chiefs appointed by the state. If you travel from Mulera to Nduga via Bugoye, you can observe the successive phases in this process of the formation of a state. You see how the independent, undifferentiated clans are first drawn into all kinds of dependent relationships and are then gradually absorbed.

In taking possession of Bugoye, members of the same clans have settled in various places. As a result, the whole country represents a mosaic of properties occupied by different members of the same clans who are physically separated from one another, yet still aware of their historical connection. This is most clearly evident in the institution of blood revenge, as well as in the prohibitions regarding food and marriage. This awareness, however, is not sufficient to bring about the formation of larger, independent, well-disciplined political unions. Every individual settlement is an entirely independent community with its own elder at the head.

614 622 In clan communities that have been unaffected by conquest, the head of the community has little authority. He represents the clan community in external affairs and settles internal disputes. The latter are one of the most important reasons why clan members emigrate. The headman is known as mugabo, and his position is hereditary, usually devolving upon the eldest son. In the list given below, the bagabo are given first place.

After the subjugation of clan communities by outside conquerors, the mugabo occupies a special place. His duty is to collect taxes and to deliver them to the official commissioned by the king. However, this official position gives him a certain

622 614 influence which can increase along with that of the outside conquerors, especially if he knows how to make himself useful to them. Since the privilege of collecting taxes is hereditary, it bears a seed that can grow to the level of a regular high chief, as was demonstrated in the case of the Muhutu, Lukara lwa Bishingwe, who became known even in Europe for the murder of the missionary, Father Paul Loupias.

The leadership of the Barashi under Lukara lwa Bishingwe is an example of a clan whose elder, through the influence of the Batutsi, was elevated to chief according to the concepts of the conquerors. This development has not, however, come to an end. The entire process is too new, too little strengthened by tradition.

The privileged position of the Barashi clan elder goes back only two generations. Lukara's father, Bishingwe, was a very skillful hunter and [247] knew how to use a Batwa group for his ends. He knew how to furnish Lwabugiri, the king of Ruanda and father of Musinga, with plenty of ivory, and the king rewarded him for it. The king treated him as his immediate vassal (mugaragu) and made him chief over his own clan, in which he is said to have formerly held the position of mugabo.

622 614 578 The promotion of the powerless clan elder to chief was not recognized by the clan members, and among them Lukara had little power, according to my observations at the time of my journey. He tried to remedy this disadvantage by attracting exiled riffraff and foreign elements from dispersed clans and settling them on free land. He selected his followers from among this unorganized group who, as strangers, were at the mercy of everyone and could expect protection only from Lukara. With them he held his fellow clansmen in check. The latter, however, in their hatred, drove the outsiders to Lukara, and in this way there arose that compact, strictly organized structure which made Lukara so dangerous to his opponents. The Mututsi, Luhanga, his chief opponent, did not have such a well-disciplined following.

I had an opportunity, on the basis of a minor incident, to observe how great the constant internal friction of this social structure must be. I requested Lukara to have water fetched for my men. After negotiations that lasted almost two hours, Lukara announced that he was willing to do this and told his men who were assembled

in the courtyard to fetch water. No one was in a hurry to make the half an hour trip to the water hole. Lukara grew angry at this delay, seized a few people by their hands, and pushed them aside to have them get the water. One of them rebuffed Lukara with the words, "I am no Murashi," and would not let himself be singled out. Lukara began to scold and asked the name of the man's father, but did not molest him further. The water had to be fetched by newcomers. Lukara has allowed these newcomers to settle, and therefore he can, of course, also drive them out again. He cannot treat his fellow tribesmen so arbitrarily.

In spite of the friction between the clan elder and the clan members, the Barashi support Lukara. They know that his downfall will mean their subjugation to outsiders. That is why Lukara is so strong in the face of his opponents, even though he has not as many men to put into the field. His Batutsi opponents must depend on Bahutu who have no such interest in Batutsi successes.

Lukara, whose father became a mugaragu only through the demagogic Lwabugiri, now passes himself off as a Mututsi. His men, too, say that he is a Mututsi. His fellow clansmen, however, merely say [248] that whenever he can, he tries to oppress his own people with newcomers, as an outsider, a Mututsi, would do.

In this manner the peasant aristocracy made up of clan elders merges with the Batutsi. We are, therefore, justified in asking outselves whether this gradual rise to nobility, sealed by the forgetting of ones origins is not the chief reason why Bahutu clan names occur among the Batutsi.

The size of the autonomous clan communities, which roughly correspond to our villages, varies a great deal. In many cases they have a population of about 100, while some have a few thousand inhabitants. In the Barashi territory, for example, there are 6,000 to 8,000 people. The fertile area is bounded on the north by primeval forests covering the volcanoes, on the east by Lake Bolero, and on the south by the lava steppes. The population was pushed out of the lava plain by the Barashi. The Batwa, however, remained on Muhawura.

As we have seen, the population of these communities does not consist entirely of clan members. There are also outsiders who

634 somewhat different. The most important personality after the chief is his brother. He represents him in all matters. Both of them have their houses in the individual villages in which they live during their journeys. The son ranks just below the brother of his father and is granted a village after he has grown up. He is not entitled to gifts in the other villages of his father, and only if he has [267] no uncle does he get an uncle's rank. In spite of this preference, the brother of the chief is not his heir; all his possessions go to the son after the burial of the father.

622 563 Below the kissonga are the quite unimportant subchiefs who supervise the communities on the separate hills. Among them there are everywhere, especially in Bugoye, many Bahutu, whereas the higher positions are almost always held by Batutsi. It is only in Mulera and Bgisha that one sees Bahutu also occupying the highest positions.

The Bahutu officials are very much praised by their superiors, for no one can be more merciless and servile than an upstart who is hated by his clansmen. This characterization does not, of course, apply to the clan elders who occupy this position in the free farm communities. The subchiefs are the only cattle-owning Bahutu outside of Mulera, Bgisha, and Bugoye.

642 631 There is no doubt that with the extensive interweaving of property belonging to individual high chiefs (in this respect the whole country resembles a village with a community system of planting [Flurzwang]) an influential stratum is created which has vital interests in the most diverse parts of the country. This counteracts the centrifugal, particularistic tendencies of the individual provinces.

642 631 643 These conditions seem to be the result of a conscious aim on the part of the crown. In this direction much seems to have been accomplished by Lwabugiri Kigeri, the father of the present ruler, Musinga. Kigeri is reputed to have centralized the state and partitioned, scattered, and interwoven the holdings of the chiefs in order to destroy the centrifugal tendencies of the feudal lords. This involved him in bitter struggles with the lords, among them his brother-in-law, Kabare, but he managed to crown his efforts with success.

631 642 tendencies of their fathers. Count Von Götzen (1) mentions

1. Götzen, Count Von, Durch Afrika von Ost nach West [Through Africa from East to West] (Berlin, 1899), pp. 156, 159.

only one governor of Kissaka, namely, Kavahigi, but he also speaks of Kaware (Kabare) in the northern part of the country.

621 631 The hill (kashozi) is the smallest political unit in Kissaka, as well as in all the rest of Ruanda. The inhabitants of a hill belong to different clans, and the factor uniting them is purely political. It is primarily the chief, to whom compulsory service [622] (buletwa) must be paid. This official is likewise appointed by the high chief. However, the very large hills are not infrequently divided into subgroups with different subchiefs. Thus, the hill known as Bare in Nsasa is divided into the communities of Bare, Ishua, Kibare, and some others.

621 614 In Mulera where there are very few Batutsi and these have no great power, much more primitive conditions have been preserved. Here too, however, political units are represented by hills, but each hill has a homogeneous population, consisting of the members of the clan. These communities are directly sub- [651] ordinate to the king and, through their elders, pay taxes to the king's deputies. Here the mutware, the integrating factor, is absent. On the few hills [269] in Mulera belonging to Batutsi, however, we find conditions similar to those in Kissaka. Here, [651] also, taxes are paid to the chiefs and not to the king's deputies. I believe that the Bahutu on these hills must also render compulsory service.

Ndorwa is a country that is only under nominal rule and does not pay taxes to Musinga. We find here the same clan communities, but they are completely independent, small political units.

Besides the two extreme forms, the community settled on alien land granted to the chief by the king, which the chief represents at court, and the free clan community settled on its own land and paying taxes to the king's deputy but having no

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and Tutsi compounds. Only the size and number of huts and enclosures were different.[24]

These compounds, usually surrounded and more or less hidden by banana groves, were scattered throughout the country. They were on the top or on the slopes of hills, never in the valleys which were flooded every year at the end of the rainy season. They were usually rather isolated but even when they were not far from each other (and they were never so near together as to have two adjacent hedges) they did not constitute villages in the sense of concentrated clusters of dwellings situated near the centre of the territory worked by the inhabitants. There was, however, some grouping on a predominantly local basis of people who were all personally acquainted with each other. They could be described, following Murdock's terminology, as *neighbourhoods*.[25] These neighbourhoods were made up of a certain number of compounds (from twenty to sixty) situated on a hill (*umusozi*) or a part of a hill (*umurenge*). The people living there had a few common activities: mutual aid in the building of huts and in the performance of certain agricultural tasks, and recreational gatherings (such as dancing, jumping competitions, arrow shooting, &c.). They showed a certain *esprit de corps* in taking the side of one of their members in a dispute against a member of another similar community. The word used to designate the members of such groups expressed this idea of neighbourhood. They were called *abazimya muriro*, 'those who put out the fire', people very often needed. One important person in the group such as a lineage-head, was appointed as neighbourhood-head (*umukoresha*) by the traditional administrative authority to take charge of the collection of dues and tribute-labour of a hill or, more frequently, of a group of hills (*umutware w'umosozi*). He acted as an intermediary between his neighbours and the hill chief. The group could refuse the appointment of a certain person and another would be chosen. These neighbourhoods had no communal place for meeting, exchanging goods, or worshipping.

The same pattern of local grouping was to be found throughout Ruanda.

[24] Cf. Czekanowski, 117, p. 200 ff; Pauwels, 1953; Vincent, 1954, pp. 12-15.

[25] Murdock, 1949, p. 80. The definition of village given in Royal Anthropological Institute, 1951, p. 64. ('a territorially separate collection of homesteads, which is regarded as a distinct unit and of such a size that its inhabitants can all be personally acquainted') cannot be applied to the Ruanda type of local community.

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## 2. DESCRIPTION OF THE ADMINISTRATIVE STRUCTURE

### (a) *Districts, hills, and neighbourhoods*

From the point of view of territorial administration, the border zones were distinguished from the rest of the country. Border zones which were permanently threatened by foreign attack were administered by the chief of the army, the headquarters, and camp of which situated in the region. The centre of Ruanda and the regions which were close to a foreign territory not regarded as dangerous were divided into what we shall call administrative districts. There is an almost complete unanimity of informants (97 per cent.) on this.[11]

Unfortunately, there is confusion about the names applied to these areas. Five names were given by informants, with the following percentages: *igikingi* (3 per cent.); *igiti* (19 per cent.), *urugo* (12 per cent.); *umurwa* (7 per cent.); *ubukebe* (24 per cent.). Moreover, the three terms *igikingi*, *igiti*, *urugo* were all used, according to 2 per cent.; *igiti* and *urugo* according to 4 per cent.; *igikingi* and *igiti* according to 6 per cent.; *igiti* and *ubukebe* according to 8 per cent.; *igikingi*, *igiti*, and *ubukebe* according to 1 per cent. Finally, to add to the confusion, the same word was used to mean different but related units. For instance *igikingi* could mean a subdivision of a hill—according to 97 per cent.—and a hill was itself part of a district to which, as we have just indicated, 12 per cent. applied the term *igikingi*.

At all events the whole country was divided into administrative locations that may be designated as districts. Each of them was ruled by two chiefs, neither of them dependent on the other. Their authority extended over the same territory but from different points of view. The land-chief (*umunyabutaka*) took care of the dues from agriculture and the cattle-chief (*umunyamukenke*) of the dues from stock. According to 60 per cent. of our informants, the same person could not have the two charges. It was possible, however, according to 36 per cent. of the Tutsi asked. But the usual situation was to have two chiefs and not a single one.

The district was divided into hills (*umusozi*). At that level the

[11] As has been explained in the introduction, a hundred questions on the political organization have been put to three hundred informants chosen from all the regions of Ruanda (the interviews took place in seventy-four different places). The percentages to be found in that chapter refer to this sample. When the percentages included decimal fractions, the figures have been brought to the nearest unit.

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The district was divided into hills (umusozi). At that level the cattle- and land-chiefs had only one subordinate, the hill-chief, *umutware w'umusozi*, whose counterpart in the present administrative organization is called sub-chief or *ibisonga*.

On each hill, there were usually several neighbourhoods. In each, one of the family heads living there was chosen as its head by the hill-chief. He was called *umukoresha*.

(*b*) *Taxes*

Tributes and dues for which the land-chief was responsible were: any kind of labour, usually agricultural; *uguhunika* (putting into the granary), which consisted of a certain number of baskets of beans, peas, and sorghum to be delivered at harvest time; *amavu* (bananas to be used for brewing beer). These tributes were due from Hutu. The person who provided these things was the family head who was considered as the individual producer of the rugo. But between him and the land-chief, there was a hierarchy of persons responsible for the carrying out of the levies: sometimes the lineage head (if he was living in the same neighbourhood), then the neighbourhood head, and finally the hill-chief.

Through the hill-chief, too (according to 68 per cent. of the informants), the cattle-chief obtained jars of milk from the Tutsi. Moreover, the latter had to provide (according to 88 per cent.) *inkuke*, cows kept by the beneficiary in order that milk could be consumed fresh.

These tributes were centralized in the royal residence of the district which was occupied by the king when he was travelling in the district. This residence was called *rugo*, the ordinary word meaning a compound dwelling. 95 per cent. of our informants remembered several names of royal district residences and 86 per cent. had not forgotten the name of the residence in the district where they used to live as children.

Revenues of a district were either reserved to the king himself or were granted to one of the king's wives. In the first case, the residence was called *ingaligali* and was administered by a king's concubine (*umuja*, girl-servant).

Administrative officers collecting tributes, had the right to keep a part for their own benefit. According to 95 per cent. of our informants, the hill-chiefs had the right to deduct some agricultural produce, of which they could keep about a third. Then the land-chief—according to 99 per cent.—could also keep a part of it,

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probably a little less than a third. For tribute labour, the hill-chief handed over to the residence the number of labourers requested but could have the others to work for himself.

According to respectively 92 and 91 per cent. of the Tutsi interviewed, neither the hill-chief nor the cattle-chief could deduct similar proportions from cattle dues. I have been told, however, that the cattle-chief required from the hill-chief more jars than the royal residence asked. It is very likely that the hill-chief imposed a similar obligation on those who had to bring the milk.

The land-chief acted as judge in disputes about rights over land between Hutu of his district.

Some places were not integrated into the district organization and were free from the cattle- and land-chief interferences. They were the domains belonging to *biru* and the royal funeral grounds. Biru, as we shall see later, were very important people keeping the secret traditions according to which the order of succession of the kings was determined, the ritual to be used in wars, the measures to be taken in times of famine, &c. In their privileged domains biru enjoyed powers similar to those of the king over Ruanda. 76 per cent. of our informants mention the name of a hill ruled by one mwiru (singular of biru) and 79 per cent. affirm that these domains were completely independent of the administrative chiefs.

The other privileged hills were those on which the royal corpses were laid. As the dead body of the king was believed to undergo different metamorphoses, it was not immediately buried, but mummified and left for a certain time in a wood, on the top of a hill. The corpse was watched by some chiefs and servants and finally buried. Even now 88 per cent. of our informants can mention the name of such a hill where a royal cemetery is to be found. One of the more renowned places is Rutare, not far from Kigali, which is mentioned by 71 per cent. 84 per cent. said that these hills were exempted from any tribute to the district residence.

### 3. ANALYSIS OF THE ADMINISTRATIVE STRUCTURE

Analysis of the different structures described here will be made from the point of view of the social function of these institutions. Social function is understood here as the contribution made by an institution, an association or a cultural trait to the working and the maintenance of a particular social structure. The contribution may

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It is still less easy to assess the relative importance of land and cattle taxes. Informants say that in the past they had to give a great deal, but such recollections of taxpayers do not mean very much. It is certain that if such a fiscal system has been maintained for numerous generations, exploitation has been kept within bearable limits. In Ruanda, as elsewhere, if the taxpayer is overburdened with dues and levies to such a point that he has not enough time and food left to go on producing, the source of impositions will dry up. Fifty years ago, after long practice, the Ruanda rulers had been able, it seems, by trial and error, to determine the exact amount of exploitation that the country could support. Yet if the group of taxpayers as such were not overexploited, it is certain that some individuals in the group have been very heavily taxed merely because those who had the power to impose taxes wanted to avenge a particular offence.

The taxpaying group was not restricted to the Hutu stratum since some tributes were due on cattle holdings. Agricultural dues and tribute labour however, were entirely provided by Hutu and as they constituted about ninety per cent. of the population, the total amount of their contribution was considerably higher than that of other groups.

Those who received benefit from this system were, first of all, the king and his spouses. They did not have to come and live in a district residence to have the use of the produce collected in that district. Goods were sent to the court or wherever the king wanted them. Other beneficiaries were the chiefs in charge of the collection: land-, cattle-, and hill-chiefs. About two-thirds of the impositions on agricultural produce was deducted by them. Were they all Tutsi? No, answered the Tutsi interviewed. According to ninety-two per cent. of them a Hutu could be appointed land-chief. But he could not become a cattle-chief, according to ninety-one per cent. This is quite understandable, as the first had to deal with Hutu and the second with Tutsi. But were many Hutu in fact endowed with the profitable responsibilities of the land-chief or the hill-chief? 258 informants (eighty-six per cent.) were able to give the names of Hutu land-chiefs, but they mentioned only thirty-four different names. A Hutu land-chief, Ndarwubatse, was mentioned 180 times, another, Kanyonyomba, 109 times, and another, Segore, ninety-seven times. As our informants were scattered throughout Ruanda it is very probable that the cases of

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Ndarwubatse, Kanyonyomba, and Segore were exceptional and that, in fact, Hutu were not very numerous among land-chiefs. The share of Hutu in political power was probably symbolic rather than quantitatively great. Hutu could also be hill-chiefs and sixty-nine per cent. of our informants were able to mention a few names. According to ninety-nine per cent. a Twa could be neither land-chief nor cattle-chief, unless he were ennobled. But in that case, he was not socially a Twa any more, but assimilated to a Tutsi. Twa could be hill-chiefs; sixty-five per cent. of our Tutsi informants mentioned the names of such Twa. Neighbourhood heads were frequently Hutu, but the advantages they drew from their office were minimal, if any.

*(b) Maintenance of the central rulers in power*

One may conclude that the very great majority of the beneficiaries of the fiscal function of the administrative structure were people of the Tutsi group.

A second function of the administrative structure was to enable those who enjoyed political power to keep it. The mwami and his wives centralized the means necessary to afford an important court. Moreover, by granting the profitable offices of land-, cattle-, and hill-chiefs, the mwami increased the number of his faithful dependents. For these chiefs of the administrative structure were appointed by the king. To the question 'who appointed the land- and the cattle-chiefs?' ten different answers were given, but if one adds up all the answers which named the mwami as the person or one of the persons who granted these official appointments, a majority of sixty-five is reached. The confusion in the answers seems due to the fact that different principles operated together in the nomination of such a chief. Firstly, one of the sons of the former office holder usually succeeded to his father, and the latter could often indicate his preferences, but this did not mean that the office was hereditary. Merely, it happened fairly frequently that the mwami liked to strengthen a man's loyalty on the understanding that if he was a good chief, the office could remain in his family. Secondly, the appointment could be made by the mwami following presentation of the candidate by an important chief, such as the army-chief. Consequently, it could appear that the latter was the one who gave the appointment. But the third principle remained: the king kept a complete control of these offices in the sense

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that no other authority had the final say in such appointments.

The danger of having some chiefs becoming more and more independent of the central government was avoided by the mwami's power to dismiss anybody and also by the curious duality of chiefs in each district. Increasing the control of the central government over its subordinates seems to have been the function of that duality. Tensions arose between these two chiefs who were neighbours and who exerted their prerogatives in the same territory yet were independent of each other. The mwami was always kept well informed by each of these chiefs of the exactions or suspicious activities of the other. Moreover, both chiefs had the same subordinate, the hill-chief. Consequently the mwami could be sure that if by chance the two chiefs were in agreement, it was very likely that if their common subordinate had some difficulty with one of his superiors, he would attempt and often succeed in getting the other on to his side: *duobus litigantibus tertius gaudens*. In addition, as conflicts of power were unavoidable in such a situation, the chief had to resort to the mwami as judge. In that way the links of the dependence of both of them on the mwami were tightened.

In this analysis it is not suggested that the duality of chiefs was conceived and put into being by a certain mwami in order to fulfil what we regard here as its function. It is possible that it happened in that way. But even if nobody ever thought of reinforcing the royal power by this dual organization, it was nevertheless its function in Ruanda society.

(c) *Social cohesion*

I have mentioned that the hill-chief required dues and tributes not from the individual taxpayer but from the lineage head when possible, and the latter demanded it from the family head. This way of reaching the individual through his kin group and family group enhanced the importance of the descent principle of of kin solidarity. Even in Ruanda where the political organization had taken over so many functions from descent groups, the individual as such was not yet recognised in very important matters like the contributions to the maintenance of the rulers. In this interpretation, the kinship and the administrative structures promote the social cohesion of the group as a whole.

To provide the central government with regular revenues, to

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To provide the central government with regular revenues, to maintain its predominant and privileged situation, and to favour social cohesion, were the functions of the administrative structure. Moreover, as any authority in Ruanda, the land-chief was judge in the disputes concerning rights over land. The cattle-chief, however, had no judicial capacity because disputes about cattle were dealt with by the army-chief.

Impositions and taxes exist in all societies which have a centralized organization of political power. Rulers to maintain their dominant position need to be able to dispose of great revenues. The more centralized a government is, the larger is the amount of goods needed because the administrative officers are numerous.[13]

This political necessity of taxation has been justified differently according to the ideology of each culture.[14] Thus in modern democratic states, taxes are said to be the contribution of each citizen to the maintenance of services used by all members of the community, such as roads open to everybody, a police force which protects property and life against internal dangers, courts and tribunals for those who feel that they have been wronged and want to obtain reparation, an army which protects the community against an external threat, &c.

In Ruanda, tributes in labour and goods to the mwami were justified by the nature of the royal power. Kingship was divine. The first king of Ruanda, Nkuba (which means lightning), lived in heaven with his wife Nyagasani, their two sons Kigwa and Mututsi, and their daughter, Nyampundu. One day the three siblings fell from heaven and settled on a Ruanda hill. There Kigwa married his sister. Their descendents constituted the Abanyiginya clan. Mututsi, Kigwa's brother, married one of his nieces. Their descendents were the Abega. The two royal clans (usually the Abanyiginya married Abega girls) had thus a divine origin.[15] From this godlike nature of the mwami followed the justification of his absolute power and of the sovereignty of his rights over the people, the cattle, and the land of Ruanda. By virtue of that divine sovereignty, the king could require tribute. Because everything and everybody was his, he could confiscate any cattle or agricultural produce, and take the labour or even the life of anybody.

This was the theory. In fact the mwami did not use his prerogatives more than the rulers who were not divine but had the same means

[13] Maquet, 1952. [14] Maquet, 1954c, p. 65. [15] See Pagès, 1933, p. 491.